



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 4386-99
9 November 1999

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 20 October 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

1160
PERS-815
20 Oct 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS
Via: PERS-00ZCB

Subj: BCNR PETITION ICG [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 01 Jul 99
(b) OPNAVINST 1160.6A
(c) NAVADMIN 029/93
(d) NAVADMIN 114/93

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to petitioner's request.

- Petitioner's ADSD is 7 Aug 1983.

- Petitioner passed through zone "B" SRB eligibility on 6 Aug 1993.


- Petitioner requests to effect a 6 year reenlistment in August 1993 prior to passing through the zone "B" window and a SRB entitlement.

- Reference (b) provides an early SRB window during the month of passing through zone and on or before the date of passing through zone.

- Reference (c) released on 24 Feb 1993 and reference (d) released on 12 Jul 1993 did not carry an SRB entitlement for the ETSW(0000) rate at the time petitioner passed through the zone "B" window.

2. In view of the above, recommend that petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.


S. R. CHRISTY
Head,
Reenlistment Incentives Branch